

IN THE UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF ALABAMA
 NORTHERN DIVISION

SANQUEZ DEONTRA BIVENS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:24-CV-703-WKW
)	[WO]
MONTGOMERY COUNTY)	
DETENTION FACILITY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On December 13, 2024, the Magistrate Judge filed a Recommendation to which Plaintiff filed no timely objections.¹ (Doc. # 8.) Upon an independent review of the record and upon consideration of the Recommendation, the court finds that the recommendation should be adopted. Accordingly, it is ORDERED as follows:

- (1) The Recommendation (Doc. # 8) is ADOPTED;
- (2) Plaintiff's claims against the Montgomery County Detention Facility and Montgomery County Sheriff's Office are DISMISSED with prejudice prior to service under 28 U.S.C. § 1915A(b)(1);

¹ The Recommendation directed that "by December 31, 2024, the parties may file objections to this Recommendation." (Doc. # 8 at 5.) For clarification, only the plaintiff has the opportunity to file objections because the court's review of this case has occurred *prior to service of process* under 28 U.S.C. § 1915A, meaning that no Defendant has been served with a copy of the summons and complaint. As of the court-ordered deadline (Doc. # 8 at 5), Plaintiff had not filed any objections.

(3) Plaintiff's claims against Clerk Overton are DISMISSED without prejudice prior to service under 28 U.S.C. § 1915A(b)(1); and

(4) The Clerk of Court or designee is DIRECTED to terminate the Montgomery County Detention Facility, Montgomery County Sheriff's Office, and Clerk Overton as parties.

DONE this 8th day of January, 2025.

/s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE